

NOTE: This disposition is nonprecedential.

EMAILED
CERTIFIED



United States Department of the Interior
Office of Hearings and Appeals
Interior Board of Land Appeals
801 N. Quincy St., Suite 300
Arlington, VA 22203

703-235-3750

703-235-8349 (fax)

April 27, 2016

IBLA 2016-108)	10-04-Tomblin
)	
DANNY TOMBLIN)	Citizens Complaint
)	
)	Motion to Dismiss Granted; Motion
)	to Intervene Denied as Moot;
)	Appeal Dismissed

ORDER

On February 19, 2016, appellant appealed from a January 14, 2015, decision issued by the Regional Director, Appalachian Region, Office of Surface Mining Reclamation and Enforcement (OSM). Appellant's notice of appeal did not contain any reasons for appealing OSM's decision.

On March 25, 2016, OSM filed a motion to dismiss the appeal. On April 1, 2016, Heartland Coal Company moved to intervene in this appeal. Appellant did not respond to either motion.

To date, appellant has not filed any statement of reasons in support of appealing OSM's decision. Appellant has not moved for an extension of time to file a statement of reasons and has not otherwise provided the Board with any explanation for not filing any reasons in support of his appeal. The deadline for appellant to file a statement of reasons has long since passed. *See* 43 C.F.R. § 4.1282(d). Failure to timely file a statement of reasons subjects an appeal to summary dismissal. *See id.* § 4.1285. Because appellant has made no assertion of error regarding OSM's decision, we have no basis upon which to review the propriety of that decision. Therefore, we grant OSM's motion to dismiss the appeal and deny Heartland's motion to intervene as moot.

Therefore, pursuant to the authority delegated to the Board of Land Appeals by the Secretary of the Interior, 43 C.F.R. § 4.1, we dismiss the appeal and remove it from our docket.

_____/s/_____
Eileen G. Jones
Chief Administrative Judge

I concur:

_____/s/_____
James F. Roberts
Deputy Chief Administrative Judge